

quires much of the citizen, and demands much of the instruments the citizens provide, such as the schools, to carry out this program. Universal liberty is impractical without universal education. In general, the public knows and real-

izes this, and is willing to assume the responsibility demanded. Education is imperative for the strengthening of democracy, and democracy is imperative for the dignity and liberty of mankind.



Should Public Funds Be Used for Non-Public Schools?

V. T. THAYER

The question stated in the title above is one to which many educators are giving careful and critical thought. In his analysis of the problem, V. T. Thayer, educational director of the Ethical Culture Schools, New York City, opens facets of the problem which must be recognized in a thorough consideration of all issues involved.

IN HIS monumental work on *The American Commonwealth* James Bryce writes as follows regarding the relation of church and state in the United States:

"Half the wars of Europe, half the internal troubles that have vexed European states, from the Monophysite controversies in the Roman empire of the fifth century down to the Kulturkampf in the German empire of the nineteenth, have arisen from theological differences or from the rival claims of church and state. This whole vast chapter of debate and strife has remained virtually unopened in the United States. There is no Established Church. All religious bodies are absolutely equal before the law, and unrecognized by the law, except as voluntary associations of private citizens."¹

And, he adds, "So far from suffering from the want of State support, religion seems in the United States to stand all the firmer because, standing alone, she is seen to stand by her own strength. No political party, no class in the community, has any hostility either to Christianity or to any particular Christian body. The churches are as thoroughly popular in the best sense of the word, as any other institutions of the country."²

The Situation Has Changed

Lord Bryce published these observations near the end of the nineteenth century. Were he writing today he would record the fact that the "vast chapter of debate and strife" which he saw as unopened in the United States is now being opened.

¹ Vol. II (Second Edition, Revised) p. 643. Commonwealth Publishing Company, New York, 1908.

² *Ibid.*, p. 658.

The attack upon separation of church and state takes the form of whittling down the distinctively American conception of this principle until it means no more than a mutual policy of hands-off as between the two institutions. Surprisingly this conception finds endorsement in a recent report emanating from the American Council on Education. Here we are told, "The core of meaning in the doctrine of separation of church and state we believe to be this: there shall be no ecclesiastical control of political functions; there shall be no political dictation in the ecclesiastical sphere except as public safety or public morals may require it."³

The Court States Its Judgment

This statement ignores completely the peculiar fruits of American experience in the relation of church and state and the resulting policy that has made possible the unique development of public education in this country. To the doctrine of non-interference Americans have added the principle that no public funds can lawfully be appropriated to religious institutions or to any educational institution in which sectarian doctrines are taught. Both the majority and the minority decisions of the Supreme Court in the recent case from New Jersey of *Everson vs. Board of Education* emphatically reaffirm this interpretation. For example, Justice Black states for the majority, "No tax in any amount, large or small, can be levied to support any religious activities or institutions, whatever they may be called or whatever form they may

adopt to teach or practice religion." And Justice Rutledge adds for the minority, that the first Amendment to the Constitution forbids not only an established church but the public support of religion as such. Our constitutional policy, writes the Judge, "does not deny the value or the necessity for religious training, teaching or observance. Rather it secures their free exercise. But to that end it does deny that the state can undertake or sustain them in any form or degree. For this reason the sphere of religious activity, as distinguished from the secular intellectual liberties, has been given the twofold protection and, as the state cannot forbid, neither can it perform or aid in performing the religious function. The dual prohibition makes that function altogether private. It cannot be made a public one by legislative act."

"But," it is asked, "if separation of church and state means not only disestablishment but a prohibition against the use of public funds for non-public schools, how do we explain recent decisions of the Supreme Court which approve the transportation of parochial school children at public expense and the furnishing of free text books to children in public and non-public schools alike? Or Congressional sanction not merely of payment of tuition for G.I.'s to sectarian institutions, but as well the distribution of building materials and instructional equipment to sectarian schools out of surplus property by the federal government?"

Judgments Need Not Be Final

Unquestionably these constitute serious deviations from the principle of separation of church and state if not outright violations of it. Violations of

³ *The Relation of Religion to Public Education, The Basic Principles.* By the Committee on Religion and Education, American Council on Education: Washington, D. C., p. 25.

the law are understandable and can be corrected, as the recent incident in North Chapel Hill, Ohio, clearly demonstrates. But the gradual transformation of a legal principle through judicial interpretation is more serious.

For example, friends of separation of church and state, as we have known and practiced separation in this country, cannot accept as final the principle first enunciated by former Chief Justice Hughes which distinguishes between aid to an individual and aid to an institution. It is on this ground that the Supreme Court first approved the distribution of free text books to private school children and, more recently, free transportation to parochial schools. Occasion must be found for a judicial reconsideration of this interpretation.

Confusion Invites Violation

In the meantime these decisions leave the situation badly confused, and constitute an open invitation for local violation of the intent of the law. In each instance the Court was influenced by the theory that in providing welfare services to children the total expense to the public is no different from what it would have been had these self-same children attended public school. From Justice Black's decision in the *Everson* case it seems clear that the majority of the Court would have ruled differently had it been obvious that the public transportation of parochial school children necessitated providing of special facilities for this purpose.

In practice, however, this is precisely what will follow upon furnishing transportation together with medical, health, and other welfare services to parochial as well as to public school children. Remember that there are 256 religious

sects in this country that are privileged to share in the benefits of aid to non-public schools.

It is not unlikely that the decision to insure welfare services to children as individuals within parochial schools will necessitate a neutral organization and administration of some of these functions—the establishment, for example, of health centers on occasion in such a way as to minister most efficiently to all the children of a given geographical area without respect to school attendance. Only thus would it seem possible to guarantee to each child his privilege as a child in a democratic community without dissipating and wasting public funds through unnecessary multiplication and duplication of public facilities.

Duplication Promotes Waste and Rivalry

To provide public funds for welfare services to children in attendance upon parochial schools is one thing; to grant public funds for buildings, instructional materials, and for direct or indirect relief to the salary budget of a sectarian school is another. Were the American people to yield to the pressure now being brought to bear upon Congress and state legislatures on behalf of "non-public schools" they would deal a death blow to public education as we have developed it in this country.

The grounds for this assertion are not difficult to understand. Education for effective participation in modern life costs money. Already states and localities are finding it difficult to secure the resources with which to maintain adequate salaries and to provide essential materials and supplies and up-to-date buildings. To divide these meager resources between public and private schools involves more than a mere re-

duction in the total amount of money now available to public education. As in the case of health services, it would invite wasteful methods of expenditure and duplication and overlapping of facilities in order to accommodate the decision of numerous sects to maintain sectarian schools; for if we extend the privilege of dipping into public funds to one parochial group, we must yield to similar wishes on the part of another.

Under these circumstances public education would gradually lose its present broad base of support. Efficiency would decline without assurance of adequate replacement by other institutions, with the result that the per capita cost of education for the total population would increase while its quality declined.

Not only would the appropriation of public funds to parochial schools deprive public schools of sadly needed resources; it would foster competition and rivalry for legislative favor. An unholy scramble for the lion's share in the public purse would result not only as between public education and parochial institutions, but rival religious bodies as well. To these disastrous effects of religious rivalry would be added attacks upon the integrity of public education. Already jealousy born of rivalry has led to the ridiculous charge that our public schools are "godless" institutions—as though the attempt to play fair and not to promote the sectarian doctrines of any one group were evidence of antagonism to these doctrines.

Support Without Jurisdiction

But more than financial loss and the resulting decline of quality in public education are involved in this question of public support for parochial schools.

The question involved is whether together with financial aid, non-public schools will be willing to accept, as well, genuine public control over the nature of the education thus promoted. In so far as standards were imposed by the state these standards would be both superficial and external; restricted to matters such as the maintenance of minimum salary for teachers, but not related in any vital sense to the quality of teaching. Certainly they would not involve an insistence upon the nature and quality and integrity of thinking promoted by teachers such as, for example, the extent to which the methods of free inquiry and reflective thinking are stimulated and developed as essential tools for free men in a democracy.

In short, the decision to subsidize parochial school education by means of state funds would constitute a revolutionary change in American public policy. *It would commit a democratic state in principle to the support of an undemocratic education!*

The Unique Contribution of Public Education

This prompts me to draw attention to a distinctive contribution of public education which we should cherish, not undermine. I refer to the method of disinterested thinking which its non-sectarian character serves to foster. In the realm of character education, for instance, the public school is freed from the temptation to ground "spiritual" ideals (such as the worth of personality, cooperation, tolerance) or the common virtues (honesty, reliability, temperance, self-control, etc.) in sectarian religious doctrines. The necessity of being

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Wilson, University of Nebraska, is a good condensed statement of the work of the United Nations. Although it was designed for school children of the fifth grade level, it can be used by older children or by adults who want a simple, understandable explanation of the work of the United Nations. It is published by the University Publishing Company, 1126 Q. Street, Lincoln, Nebraska, and sells for 28 cents.

THE MARCH OF TIME has released Forum Editions of its regular 16 mm. educational films for short-term bookings of one, two, or three days or for extended term rentals. Forum Edition releases are selected from the regular March of Time issues and are edited for special use in educational groups. A discussion outline includes a summary of the script, introductory and round table questions, study suggestions, and a bibliography. The subjects available include a variety of issues suitable for public school or community study. Preview prints and further informa-

tion may be secured from the March of Time, Forum Edition, 369 Lexington Ave., New York 17.

RESOURCE-USE EDUCATION is concerned with a problem of national significance. A new annotated bibliography, *Your Region's Resources*, listing materials covering the natural and human resources of the South, is now available from the Regional Materials Service, George Peabody College for Teachers, Nashville 4, Tenn., for 25 cents. John E. Brewton is responsible for this excellent publication.

AN EXCELLENT RECRUITMENT pamphlet is *You'd Like Teaching*, prepared and distributed by Central Washington College of Education, Ellensburg. The pamphlet sells for \$1.00. It is one of the most attractive vocational booklets available anywhere, presenting the teaching profession in a challenging manner. Many good photographs are included.

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neutral as between the sects encourages the public school to substitute for sectarian religious authority the principle of "by their fruits ye shall know them." From this it is but a step to the discovery that the morality we all hold in common grows out of our common culture, out of the day by day associations of people, and is validated by these associations. It thus becomes possible for public schools to bring to expression a method of character education through the life of the school and the interpretations of the classroom which holds forth the possibility of forging bonds of unity between people who are varied in background and origin, race, color, and creed. This is the method of reflection

which relates practice and precept and modifies both in the light of experience. It is a method peculiarly appropriate to a character education that created character, but it is a method that can likewise apply to all areas of living. It is a method that promises to foster peace and good will between the peoples of the earth as well as the inhabitants of our own country. It is a method that the public school is uniquely and peculiarly qualified to cultivate if it can be persuaded to recognize its true mission in our democracy.

Let us resolve to hold public education to this distinctive responsibility and not to deter it therefrom by public support to sectarian education.

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